



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: White et al. )  
Serial No.: 10/045,517 ) Conf No: 3461  
Filed: October 26, 2001 ) Group Art Unit: 2182  
For: Time Triggered Communication Network ) Examiner: Not Assigned  
for Canopen Networks )  
Atty Docket No.: SAA-74 )

**TRANSMITTAL LETTER**

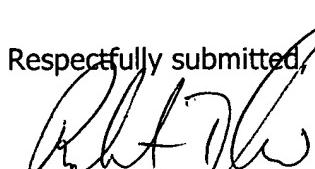
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On June 16, 2005, applicant filed a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection of a Pending "Reference" Application which contained a typographical error. With this mailing, Applicant is filing a replacement for this document. Therefore, for the above-referenced application, enclosed please find:

- 1) Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending "Reference" Application (PTO/SB/25);
- 2) Payment of Terminal Disclaimer Fee under 37 CFR 1.20(d); and
- 3) a Return Post Card.

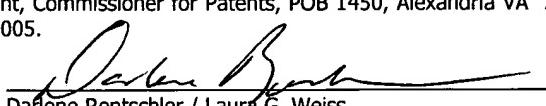
Respectfully submitted,

  
\_\_\_\_\_  
Robert Toczycky  
Registration No. 38,341  
Attorney for Applicants

Square D Company  
Schneider Electric  
1415 S. Roselle Rd.  
Palatine, IL 60067  
Phone Contact: 847-925-3341 (or 3217)  
Fax Contact: 847-925-7419

**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, POB 1450, Alexandria VA 22313-1450 on this 15 day of July, 2005.

  
Daflene Rentschler / Laura G. Weiss



**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Application of: White et al. )  
Serial No.: 10/045,517 ) Conf No: 3461  
Filed: October 26, 2001 ) Group Art Unit: 2182  
For: Time Triggered Communication Network ) Examiner: Not Assigned  
for Canopen Networks )  
Atty Docket No.: SAA-74 )

**FEE AUTHORIZATION**

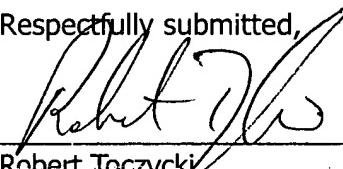
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please charge Deposit Account No. 19-3875 for a total of One Hundred Thirty Dollars and no/100 (\$130.00) for the payment of the Terminal Disclaimer Fee under 37 CFR 1.20(d). A photocopy of this Authorization is included for accounting purposes.

If any other charges are incurred or credited, please charge the Deposit Account shown above.

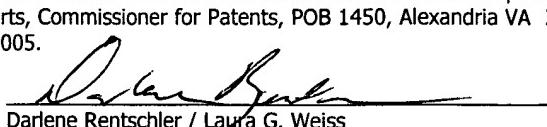
Respectfully submitted,

  
\_\_\_\_\_  
Robert Toczycki  
Registration No. 38,341  
Attorney for Applicants

Square D Company  
Schneider Electric  
1415 S. Roselle Rd.  
Palatine, IL 60067  
Phone Contact: 847-925-3341 (or 3217)  
Fax Contact: 847-925-7419

**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: MS Missing Parts, Commissioner for Patents, POB 1450, Alexandria VA 22313-1450 on this 1<sup>st</sup> day of July, 2005.

  
\_\_\_\_\_  
Darlene Rentschler / Laura G. Weiss



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)  
SAA-74

In re Application of: William A. WHITE III

Application No.: 10/045,517

Filed: October 26, 2001

For: Time Triggered Communication Network for Canopen Networks

The owner\*, Schneider Automation, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/045,723, filed on October 26, 2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

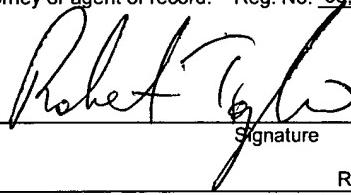
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record. Reg. No. 38,341

  
\_\_\_\_\_  
Signature \_\_\_\_\_ Date June 28, 2005

Robert Toczycki  
Typed or printed name

847-925-3341  
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/06/2005 MBIZUNE2 00000038 193875 10045517

01 FC:1814 130.00 DA